



Entered on Docket
September 14, 2006

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Holders of USA Capital First Trust Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
Debtor)
In re:) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
Debtor)
In re:) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
Debtor)
In re:) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
Debtor.)
In re:) BK-S-06-10729-LBR
USA SECURITIES, LLC,) Chapter 11
Debtor.)

Affects

- ☐ All Debtors)
☐ USA Commercial Mortgage Co.)
☐ USA Securities, LLC)
☐ USA Capital Realty Advisors, LLC)
☐ USA Capital Diversified Trust Deed)
☒ USA Capital First Trust Deed Fund, LLC)

Date: August 31, 2006

Time: 9:30 a.m.

**ORDER SUSTAINING OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE
 OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND,
 LLC TO CLAIMS BASED ON PREPETITION EQUITY SECURITY HOLDERS
 (AFFECTS DEBTOR USA CAPITAL FIRST TRUST DEED FUND, LLC AND
 CLAIMANTS CONCETTA CARNICELLI, JOSEPH GRGURICH, FRIEDA MOON,
 LOUIE AND CHARLOTTE POLANCO, ROCCO J. ROCCO, MARGARET VALLI,
 SHARON C. VAN ERT, AND HEINRICH RICHARD AND BRIGITTE S. WEBER)**

The Court having considered the Omnibus Objection of the Official Committee of
 Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF Committee")
 to Misfiled Claims, including claim nos. 2, 6, 7, 17, 19, 20, 25, and 26 (the "Objection"); having
 reviewed the pleadings, papers and records on file in this action and the arguments of counsel;
 no opposition to the Objection having been timely filed; and good cause appearing:

IT IS HEREBY ORDERED that the FTDF Committee's Objection is sustained.

IT IS FURTHER ORDERED that the claims listed on Exhibit A attached hereto shall be

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reclassified as proofs of interest.

SUBMITTED BY:

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APPROVED / DISAPPROVED

OFFICE OF THE UNITED STATES TRUSTEE

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Scott Andrew Farrocy

EXHIBIT “A”

EXHIBIT "A"**Equity Interests**

Claim No.	Claimant	Date Filed	Claim Amount	Disposition
2	Joseph Grgurich	April 27, 2006	\$25,000.00	Reclassify as proof of interest.
6	Frieda Moon FBO Sharon C. Van Ert	May 23, 2006	\$35,583.34	Reclassify as proof of interest.
7	Frieda Moon FBO Sharon C. Van Ert	May 23, 2006	\$17,538.18	Reclassify as proof of interest.
17	Concetta Carnicelli or Margaret Valli JT WROS	June 23, 2006	\$45,000.00	Reclassify as proof of interest.
19	Louie and Charlotte Polanco	June 23, 2006	\$13,110.26	Reclassify as proof of interest.
20	Joseph Grgurich	June 23, 2006	\$25,000.00	Reclassify as proof of interest.
25	Rocco J. Rocco	July 7, 2006	\$10,132.00	Reclassify as proof of interest.
26	Heinrich Richard Weber and Brigitte S. Weber	July 21, 2006	\$30,275.00	Reclassify as proof of interest.